

3738

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Matthew C. Heidner, et al
Application No.: 10/066,994
Filed: February 4, 2002
For: BONDING SLEEVE FOR A MEDICAL DEVICE
Examiner: Not Yet Assigned
Group Art Unit: 3738

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TECHNOLOGY CENTER R3700

Box Non-Fee
Commissioner for Patents
Washington, D.C. 20231

Docket No.: S63.2-9090

TRANSMITTAL LETTER

1. In regard to the above-identified application, we are submitting the attached:
**4 Pages Information Disclosure Statement; 4 Pages 1449 Form; 45 References;
1 Application #09/684,255; VAS Transmittal, and Return Postcard.**
2. With respect to fees:
☒ **No additional fee is required.**
☐ Attached is check(s) in the amount of \$00.00
☐ Charge additional fee to our Deposit Account No. 22-0350.
3. **CONDITIONAL PETITION FOR EXTENSION OF TIME**
This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time or for a petition and fee for any other matter petitionable to the Commissioner as required. If any extension of time for the accompanying response is required or if a petition for any other matter is required, by petitioner, Applicant requests that this be considered a petition therefor.
4. Notwithstanding paragraph 2 above, if any additional fees associated with this communication are required and have not otherwise been paid, including any fee associated with the Conditional Petition for Extension of Time, or any request in the accompanying papers for action which requires a fee as a petition to the Commissioner, please charge the additional fees to Deposit Account No. 22-0350. Please charge any additional fees or credit overpayment associated with this communication to the Deposit Account No. 22-0350.

VIDAS, ARRETT & STEINKRAUS

Date: April 25, 2002

By:

William E. Anderson, II
Registration No. 37,766

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Minnetonka, MN 55343-9131
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Certificate Under 37 CFR 1.8: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as FIRST CLASS MAIL, addressed to BOX Non Fee, Commissioner for Patents, Washington, D.C., on April 26, 2002.

Robin Peddieson



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INFORMATION DISCLOSURE STATEMENT

Listed below or on an attached Form PTO-1449 and/or a copy of a PTO-892 form is information known to applicant(s). A copy of each listed publication, U.S. patent, foreign patent and U.S. patent application is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98, *except that* U.S. applications from which priority is claimed under 35 U.S.C. §120, and documents cited in such priority applications, may be omitted from the enclosures pursuant to 37 C.F.R. 1.98(d). Applicant's submission of copies of U.S. applications does not constitute a waiver of the confidentiality of such applications. As such, **Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.**

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 or PTO-892 from a prior application is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in

§1.56.

Applications that are listed on the accompanying modified form 1449 as related by priority are related by priority claim under 35 USC §120. Pursuant to 37 CFR §1.98(d), no copies of cited art in a previous application(s) to which priority was claimed need be submitted. Applicant is providing copies of the 1449 and/or 892 forms from these cases.

 X I. This statement qualifies as a no-fee Information Disclosure Statement under 37 C.F.R. §1.97(b) or otherwise because to the knowledge of the undersigned attorney it is being filed (check all that apply):

- (1) within 3 months of the filing date of the application (other than a CPA); or
- (2) within 3 months of entry of the national stage; or
- X (3) before the mailing of a first Office Action on the merits;
- (4) before the mailing of a first Office Action after the filing of a request for continued examination (RCE) under §1.114;
- (5) as part of a continued prosecution application (CPA); or
- (6) during the period of a suspension of action for a CPA under 37 C.F.R. §1.103(b).

 II. This statement is believed to require a fee or the submission of a certification under 37 C.F.R. §1.97 (c) or otherwise. If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application (other than CPA); (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; (3) the mailing of a first Office Action on the merits; (4) the mailing of a first Office Action after the filing of a request for continued examination under §1.114; or (5) after the filing of a request for a continued prosecution application, but before the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311 or an action that otherwise closes prosecution in the application, then:

- (1) a certification as specified in §1.97(e) is provided below; or
- (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or

included with the payment of other papers filed together with this statement.

_____ **III. 37 C.F.R. §1.97(d).** If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:

- (1) a certification as specified in §1.97(e) is completed below; and
- (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with payment of other papers filed together with this statement.

 X **IV. Fee Authorization.** If any fee is due for consideration of this Information Disclosure Statement and full payment has not been submitted herewith, regardless of which boxes have been checked above, the Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 22-0350. The Commissioner is hereby authorized to credit any overpayment associated with this communication to Deposit Account No. 22-0350.

If paragraph II.1 or III is checked, also check one of the paragraphs below

_____ I hereby certify, under 37 CFR §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the date of the filing of this information disclosure statement.

_____ I hereby certify, under 37 CFR §1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

For the purpose of this certification, Applicant considers the PCT International Search Authority to constitute a foreign patent office.

If this Information Disclosure Statement has been submitted without the appropriate box checked, Applicant requests that this Information Disclosure Statement be considered nevertheless if it is timely submitted under any of the provisions of 37 C.F.R. §1.97 or otherwise. Finally, if any petition is necessary to ensure consideration of this Information Disclosure Statement, Applicant requests that this be treated as such a petition.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS, P.A.

Date: April 26, 2002

By: 

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Registration No.: 37,766

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FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				APPLICATION DOCKET NO.: S63.2-9090		APPLICATION NO.: 107066,994	
				APPLICANT: Matthew C. Heidner, et al		RECEIVED MAY - 8 2002 TECHNOLOGY CENTER #3700	
				FILING DATE: February 4, 2002		GROUP: 1A	
REFERENCE DESIGNATION				U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS			
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS SUBCLASS	FILING DATE IF APPROPRIATE	
	AA	6,024,752	02/15/2000	Horn, et al.	606/192		
	AB	5,108,416	04/28/1992	Ryan, et al.	606/194		
	AC	5,403,341	04/04/1995	Solar	606/198		
	AD	5,443,907	08/22/1995	Slaikeu, et al.	428/375		
	AE	5,653,691	08/05/1997	Rupp, et al.	604/96		
	AF	5,944,726	08/31/1999	Blaeser, et al.	606/108		
	AG	5,957,930	09/28/1999	Vrba	606/108		
	AH	6,007,543	12/29/1999	Ellis, et al.	606/108		
	AI	6,036,697	03/14/2000	DiCaprio	606/108		
	AJ	6,068,630	05/30/2000	Zucherman, et al.	606/61		
	AK	6,096,056	08/01/2000	Brown	606/194		
	AL	5,044,726	09/03/1991	Grego	359/561		
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY			
	BA						
	BB						
	BC						
	BD						
	BE						
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	CA						
	CB						
	CC						
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



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FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				ATTY DOCKET NO.: S63.2-9090		APPLICATION NO.: 10/066,994	
				APPLICANT: Matthew C. Heidner, et al			
				FILING DATE: February 4, 2002		GROUP: 3738	
REFERENCE DESIGNATION				U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS			
EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE	
	AA	5,702,364	23/31/1997	Euteneuer, et al.	604/96		
	AB	5,833,706	11/10/1998	St. Germain, et al.	606/194		
	AC	5,534,007	07/09/1996	St. Germain, et al.	606/108		
	AD	5,980,533	11/09/1999	Holman	606/108		
	AE	5,968,069	10/19/1999	Dusbabek, et al.	606/194		
	AF	5,980,530	11/09/1999	Willare, et al.	606/108		
	AG	6,068,634	05/30/2000	Lorentzen Cornelius, et al.	606/108		
	AH	6,221,097	04/24/2001	Wang, et al.	623/1.11		
	AI	4,950,227	08/21/1990	Savin, et al.	604/8		
	AJ	6,017,577	01/25/2000	Hostettler, et al.	427/2.12		
	AK	6,221,467	04/24/2001	Nazarova, et al.	428/213		
	AL	6,176,849	01/23/2001	Yang, et al.	604/265		
	AM	5,158,548	10/27/1992	Lau, et al.	604/96		
	AN	5,453,090	09/26/1995	Martinez, et al	604/53		
	AO	5,279,693	01/18/1994	Robinson, et al.	156/272.8		
	AP	5,549,552	08/27/1996	Peters, et al.	604/96		
	AQ	5,047,045	09/10/1991	Arney, et al.	606/194		
	AR	5,156,594	10/20/1992	Keith	604/96		
	AS	5,938,653	08/17/1999	Pepin	604/527		
	AT	5,897,537	04/27/1999	Berg, et al.	604/282		
	AU	4,733,665	03/29/1988	Palmaz	128/343		
	AV	5,019,090	05/28/1991	Pinchuk	606/194		
	AW	4,503,569	03/12/1985	Dotter	3/1.4		
	AX	4,512,338	04/23/1985	Balko, et al.	128/1		
	AY	4,732,152	03/22/1988	Wallsten, et al.	128/343		
	AZ	4,848,343	07/18/1989	Wallsten, et al.	128/343		
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							



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FORM PTO-1449 (Modified)

PATENT DOCKET NO.: S63.2-9090

APPLICATION NO.: 8026824

LIST OF PATENTS AND PUBLICATIONS
FOR APPLICANT'S

APPLICANT: Matthew C. Heidner, et al

INFORMATION DISCLOSURE STATEMENT

FILING DATE: February 4, 2002

(Use several sheets if necessary)

TECHNOLOGY CENTER R3700

REFERENCE DESIGNATION

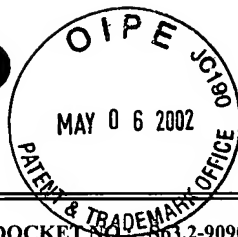
U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS

EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,234,456	08/10/1993	Silvestrini	606/194	
	AB	5,443,458	08/22/1995	Eury	604/891.1	
	AC	5,258,020	11/02/1993	Froix	623/1	
	AD	5,403,341	04/04/1995	Solar	606/198	
	AE	5,267,959	12/07/1993	Forman	604/103	
	AF	6,139,525	10/31/2000	Davis-Lemessy, et al.	604/103	
	AG	5,501,759	03/26/1996	Forman	156/272.6	
	AH					
	AI					
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EXAMINER

DATE CONSIDERED

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Modified Form 1449 UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY (COPIES ENCLOSED)		ATTY DOCKET NO.: 863.2-9090		APPLICATION NO.: 09/684,255	
		APPLICANT: Matthew C. Heidner, et al			
		FILING DATE: February 4, 2002		GROUP: 3738	
UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY					
EXAM'S INIT		APPLICATION NO.	FILING DATE	INVENTOR(S)	
	DA	09/684,255	10/06/2000	Justin Eric Plessel	
	DB				
	DC				
	DD				
	DE				
	DF				
EXAMINER			DATE CONSIDERED		
EXAMINER: Initial if application considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					

Modified Form 1449 US APPLICATIONS RELATED BY PRIORITY (COPIES NOT ENCLOSED)		ATTY DOCKET NO.:		APPLICATION NO.		
		APPLICANT:				
		FILING DATE:		GROUP:		
US APPLICATIONS RELATED BY PRIORITY						
EXAM'S INIT		APPLICATION NO.	FILING DATE	PATENT NO.	INVENTOR(S)	FORM 1449/892 ENC
	EA					
	EB					
	EC					
	ED					
	EE					
	EF					
	EG					
EXAMINER				DATE CONSIDERED		
EXAMINER: Initial if application considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						

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